

AMENDED IN SENATE MARCH 25, 2009

AMENDED IN SENATE MARCH 12, 2009

SENATE BILL

No. 15

Introduced by Senator Cedillo

(Coauthors: Senators DeSaulnier, Florez, and Wiggins)

(Coauthors: Assembly Members Buchanan, Chesbro, Coto, Eng, Galgiani, Hernandez, Krekorian, Monning, Nestande, Niello, Portantino, Price, Ruskin, Salas, and Silva)

December 1, 2008

An act to add Article 4.5 (commencing with Section 69436.70) to Chapter 1.7 of Part 42 of Division 5 of Title 3 of the Education Code, relating to student financial aid.

LEGISLATIVE COUNSEL'S DIGEST

SB 15, as amended, Cedillo. Student financial aid: members and former members of the Armed Forces of the United States.

Existing law, known as the Ortiz-Pacheco-Poochigian-Vasconcellos Cal Grant Program, establishes, among other programs, the Cal Grant A Entitlement Program, the Cal Grant B Entitlement Program, the California Community College Transfer Cal Grant Entitlement Program and the Competitive Cal Grant A and B award program, under the administration of the Student Aid Commission, and establishes eligibility requirements for awards under these programs.

This bill would, commencing with the 2010–11 academic year, entitle an otherwise eligible student who is a member or former member of the Armed Forces of the United States, as defined, who meets prescribed requirements, including enrollment ~~at a campus of the California Community Colleges, in a career technical education program, or in a~~ qualifying undergraduate certificate or degree program, to a Cal Grant

A Entitlement Award or a Cal Grant B Entitlement Award. The bill also would require the Student Aid Commission to make preliminary awards to all applicants currently eligible for an award under the program, and would require each person who receives a preliminary award to affirm, in writing, that he or she meets specified requirements for eligibility in the program.

The bill would require the commission to randomly select at least 10% of the new and renewal awards made under the program and verify that the student meets specified requirements for eligibility. The bill would require the commission to seek repayment of any funds found to be improperly disbursed under the program, and would require the commission to submit an annual report to the Legislature and the Governor regarding, among other things, the number of awards made under this program.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. The Legislature finds and declares all of the
- 2 following:
- 3 (a) The original G.I. Bill helped ward off post-World War II
- 4 economic depression by redirecting veterans from job hunting to
- 5 programs that provided job education and training.
- 6 (b) Over 30,000 United States troops have been wounded in
- 7 Iraq and Afghanistan since 2003, and many of these veterans will
- 8 need significant assistance with reintegration into civilian life.
- 9 California must prepare for the increasing number of members of
- 10 the ~~United States Armed Forces~~ *Armed Forces of the United States*
- 11 that will be returning from these conflicts.
- 12 (c) Increased access to financial aid to help returning members
- 13 of the ~~United States Armed Forces~~ *Armed Forces of the United*
- 14 *States* afford the cost of tuition and fees of California's universities
- 15 and colleges will increase the state's collective productivity and
- 16 economic growth.
- 17 (d) California high school graduates who were eligible for the
- 18 Cal Grant Entitlement program may have lost their eligibility if
- 19 they chose to serve their country before pursuing a postsecondary
- 20 education.

(e) Recent studies have identified the need for a more educated workforce in order to meet the demands of California's growing economy.

SEC. 2. Article 4.5 (commencing with Section 69436.70) is added to Chapter 1.7 of Part 42 of Division 5 of Title 3 of the Education Code, to read:

Article 4.5. Cal Grants for Members and Former Members of
the Armed Forces

69436.70. (a) Commencing with the 2010–11 academic year, and each academic year thereafter, a student who is a member or former member of the Armed Forces of the United States, shall be entitled to a Cal Grant A Entitlement Award or a Cal Grant B Entitlement Award if he or she meets all of the following requirements:

(1) Enlisted in the ~~United States Armed Forces~~ *Armed Forces of the United States* within one year of high school graduation.

(2) Was discharged from the Armed Forces of the United States ~~under any designation, except a discharge under less than honorable conditions.~~ *and received an honorable discharge, a general discharge, or an other than honorable discharge. A person who received a dishonorable discharge or a bad conduct discharge is not eligible for an award pursuant to this article.*

(3) Within two years of being discharged from the Armed Forces of the United States, enrolls in ~~one of the following:~~

~~(A) A campus of the California Community Colleges.~~

~~(B) A career technical education program, as described in Section 69439.~~

~~(C) A qualifying undergraduate certificate or degree program~~ *a qualifying undergraduate certificate or degree program* pursuant to paragraph (5) of subdivision (b) of Section 69434, with respect to Cal Grant A, or paragraph (5) of subdivision (a) of Section 69435.3, with respect to Cal Grant B.

~~(4) Meets all of the criteria in subdivision (b).~~

(b) A California resident enrolling at a qualifying institution *in an eligible certificate or degree program* is entitled to receive, and the commission shall award, a Cal Grant A or B award depending on the eligibility determined pursuant to subdivision (c), if all of the following criteria are met:

1 (1) A complete official financial aid application has been
2 submitted or postmarked pursuant to Section 69432.9, no later
3 than March 2 of the year immediately preceding the award year.

4 (2) The student demonstrates financial need pursuant to Section
5 69433.

6 (3) The student's household has an income and asset level not
7 exceeding the limits set forth in Section 69432.7.

8 (4) The student is enrolled at a campus of the California
9 Community Colleges or is pursuing a career technical education
10 program or a degree that is offered by a qualifying institution.

11 (5) The student is enrolled at least part time.

12 (6) The student meets the general Cal Grant eligibility
13 requirements set forth in Article 1 (commencing with Section
14 69430).

15 (7) The student will not be 28 years of age or older by December
16 31 of the award year.

17 (8) The student graduated from a California high school or its
18 equivalent during or after the 2000–01 academic year.

19 (c) The amount and type of the award pursuant to this article
20 shall be determined as follows:

21 (1) For applicants with income and assets at or under the Cal
22 Grant A limits, the award amount shall be the amount established
23 pursuant to Article 2 (commencing with Section 69434).

24 (2) For applicants with income and assets at or under the Cal
25 Grant B limits, the award amount shall be the amount established
26 pursuant to Article 3 (commencing with Section 69435).

27 (d) (1) Commencing with the 2010–11 academic year, a student
28 meeting the requirements of paragraph (8) of subdivision (b) by
29 means of high school graduation, rather than its equivalent, shall
30 be required to have graduated from a California high school, unless
31 that California resident graduated from a high school outside of
32 California due solely to orders received from a branch of the ~~United~~
33 ~~States Armed Forces~~ *Armed Forces of the United States* by that
34 student or by that student's parent or guardian that required that
35 student to be outside of California at the time of high school
36 graduation.

37 (2) (A) Commencing with the 2010–11 academic year, the
38 commission shall make preliminary awards to all applicants
39 currently eligible for an award under this article. At the time an
40 applicant receives a preliminary award, the commission shall

1 require that applicant to affirm, in writing, that he or she meets the
2 requirements set forth in subdivision (e) of Section 69433.9,
3 paragraph (8) of subdivision (b) of this section, and paragraph (1)
4 of this subdivision. The commission shall notify each person who
5 receives a preliminary award under this paragraph that his or her
6 award is subject to an audit pursuant to subparagraph (B).

7 (B) The commission shall select, at random, a minimum of 10
8 percent of the new and renewal awards made under subparagraph
9 (A), and shall require, prior to the disbursement of Cal Grant funds
10 to the affected postsecondary institution, that the institution verify
11 that the recipient meets the requirements of subdivision (e) of
12 Section 69433.9, paragraph (8) of subdivision (b) of this section,
13 and paragraph (1) of this subdivision. An award that is audited
14 under this paragraph and found to be valid shall not be subject to
15 a subsequent audit.

16 (C) Pursuant to Section 69517.5, the commission shall seek
17 repayment of all funds found to be improperly disbursed under
18 this article.

19 (D) By November 1 of each year, the commission shall submit
20 a report to the Legislature and the Governor including, but not
21 necessarily limited to, both of the following:

22 (i) The number of awards made under this article in the
23 preceding 12 months.

24 (ii) The number of new and renewal awards selected, in the
25 preceding 12 months, for verification under subparagraph (B), and
26 the results of that verification with respect to students at the
27 University of California, at the California State University, at the
28 California Community Colleges, at independent nonprofit
29 institutions, and at independent for-profit institutions.

30 (e) For purposes of this section, “Armed Forces of the ~~United~~
31 *United States*” means the Air Force, Army, Coast Guard, Marine
32 Corps, and Navy.